

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

E³ BIOFUELS, LLC,
Plaintiff,

v.

BIOTHANE CORPORATION and
PERENNIAL ENERGY, INC.,
Defendants.

Case No. 1:12-mc-76

Spiegel, J.
Litkovitz, M.J.

ORDER

This matter is before the Court following a telephonic status conference held on March 26, 2013, regarding information subpoenaed by petitioner Perennial Energy, Inc. (PEI) from non-party Katzen International, Inc. (Katzen).

The parties continue to work with the Court in resolving the issues of: (1) the selection of a neutral, Cincinnati-based third-party vendor who will, on behalf of PEI, work with Katzen's computer expert to perform the requisite searches to obtain the subpoenaed information; (2) the costs of Katzen's information technology expert to date in this matter; (3) the scope of the proposed protective order governing the exchange of confidential information in this case; and (4) the estimated time and costs that will be incurred in the initial culling of information from Katzen's computer systems once a third-party vendor is selected.

A status conference in this matter is set for **Thursday, April 18, 2013 at 2:00 p.m.**, at which time counsel for Katzen and PEI will update the Court as to the status of the four issues

outlined above.

IT IS SO ORDERED.

Date: 3/27/13


Karen L. Litkovitz
United States Magistrate Judge